
HOUSE BILL No. 1118

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-22-6-12.1; IC 15-5-9.

Synopsis: Coyote bounty. Specifies that the department of natural resources must determine when bounties may be paid on coyotes. Provides for payment of verified coyote bounty claims from the township dog fund. Makes conforming amendments.

Effective: July 1, 2003.

Grubb, Ulmer

January 7, 2003, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1118

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-22-6-12.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2003]: **Sec. 12.1. (a) The department shall**
4 **determine for a certain period whether a bounty is available under**
5 **IC 15-5-9 for a coyote killed in a certain Indiana county based on**
6 **a determination that the population of coyotes in the county**
7 **presents a threat to domestic animals or wild game animals in the**
8 **county.**
9 **(b) To claim a coyote bounty under IC 15-5-9, an individual**
10 **shall deliver to a conservation officer (as defined in IC 14-9-8-1):**
11 **(1) both ears of the coyote for which the bounty is claimed;**
12 **and**
13 **(2) a sworn statement verifying the date and location where**
14 **the coyote was killed.**
15 **(c) When a claim is submitted under subsection (b) the**
16 **conservation officer shall:**
17 **(1) verify whether a determination has been made under**



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1 subsection (a) that a bounty was available in the county at the
2 time the coyote was killed; and

3 (2) if a bounty was available under subdivision (1), present to
4 the individual a verified coyote bounty claim form created by
5 the department.

6 (d) The department shall adopt rules under IC 4-22-2 to
7 implement this section.

8 SECTION 2. IC 15-5-9-8 IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) All money derived by the
10 taxing of dogs under this chapter shall constitute a fund known as the
11 township dog fund that the township trustee shall use in the manner
12 provided in this chapter for the payment of the following:

13 (1) Damages, less insurance proceeds, sustained by owners of the
14 following stock, fowl, or game killed, maimed, or damaged by
15 dogs:

16 (A) Sheep.

17 (B) Cattle.

18 (C) Horses.

19 (D) Swine.

20 (E) Goats.

21 (F) Mules.

22 (G) Chickens.

23 (H) Geese.

24 (I) Turkeys.

25 (J) Ducks.

26 (K) Guineas.

27 (L) Tame rabbits.

28 (M) Game birds and game animals held in captivity under
29 authority of a game breeder's license issued by the department
30 of natural resources.

31 (N) Bison.

32 (O) Farm raised cervidae.

33 (P) Ratitae.

34 (2) The expense of taking the Pasteur treatment for hydrophobia
35 incurred by any person bitten by or exposed to a dog known to
36 have hydrophobia, within any township of Indiana.

37 (3) A verified coyote bounty claim under IC 14-22-6-12.1.

38 (b) Any person requiring the treatment described in subsection

39 (a)(2) may select the person's own physician.

40 (c) No damages shall be assessed or paid under this chapter on
41 sheep except where individual damage exists or is shown.

42 (d) This subsection applies to a county whose legislative body has

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acted under this subsection. A county legislative body may designate by ordinance one (1) humane society located in that county to receive fifty cents (\$0.50) from each dog tax payment collected under this chapter.

(e) A humane society designated under subsection (d) shall use the funds disbursed to the society to maintain an animal shelter.

(f) If a county does not designate a humane society to receive payments under subsection (d), those amounts remain in the township dog fund.

SECTION 3. IC 15-5-9-9.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9.1. (a) In order to qualify for payment for damages by a township trustee under this chapter, the owner of stock, fowl, or game listed in section 8(a)(1) of this chapter killed, maimed, or damaged by dogs shall do the following:

(1) Not more than seventy-two (72) hours after the time of the loss, notify one (1) of the following having jurisdiction in the location where the loss occurred:

(A) A law enforcement officer.

(B) An officer of a county or municipal animal control center, shelter, or similar impounding facility.

(2) Within twenty (20) days from the time of the loss, report the loss to the trustee of his township as follows:

(A) Under oath, the owner shall state:

(i) the number, age, and value of the stock, fowl, or game; and

(ii) the damages, less any insurance proceeds, sustained.

(B) In an affidavit, the owner must be joined by two (2) disinterested and reputable freeholders residing in the township in which the stock, fowl, or game were killed, maimed, or damaged. The affidavit must state that the freeholders are:

(i) disinterested; and

(ii) not related by blood or marriage to the claimant.

(C) No appraisal may exceed the actual cash value of the stock, fowl, or game. As it applies to ratitae, cash value is no more than the slaughter value.

(D) The owner shall provide verification of the loss by an officer under subdivision (1).

(E) No loss shall be paid for property owned by a claimant on the last property tax assessment date if the property was not reported by the owner for assessment purposes at that time.

(b) An officer who receives notice under subsection (a)(1) shall visit

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the scene of the loss, verify the loss in writing, and mark the animal so that the animal can support only one (1) claim under this chapter.

(c) To claim a coyote bounty, an individual who receives a verified coyote bounty claim form under IC 14-22-6-12.1 shall submit the claim form to the township trustee of the township in which the coyote was killed.

SECTION 4. IC 15-5-9-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The trustees shall register and pay:

(1) damages for all losses; and

(2) verified coyote bounty claims at a rate of five dollars (\$5) per bounty;

in the order in which the losses are reported **and verified coyote bounty claims are made.**

(b) A person may not receive payment from the trustee for stock, fowl, or game listed in section 8(a)(1) of this chapter:

(1) that are killed, maimed, or damaged by any dog or dogs owned or harbored by that person;

(2) for which the person received from another person an amount equal to the actual damages; or

(3) for which the owner has not complied with section 9.1 of this chapter.

(c) When rabies shall develop in any stock, fowl, or game listed in section 8(a)(1) of this chapter, however contracted, and when the existence of such disease shall be proven by:

(1) laboratory diagnosis, made in the laboratory of the state department of health, or some other laboratory maintained by state, county, or municipal funds; or

(2) affidavit of an attending legally qualified graduate veterinarian;

the owner of such animal with rabies shall be entitled to recover in the same amount and manner as provided in sections 8 and 9.1 of this chapter.

(d) Whenever any dog not accompanied by the dog's owner or owner's agent is suspected of having rabies and found roaming at large, and the dog dies or is destroyed on said account, the trustee shall do the following:

(1) Remove or have removed the head of the dog.

(2) Pay from the township dog fund the following:

(A) A reasonable fee for the removal of the dog's head.

(B) All charges for transporting the head to a laboratory maintained by state, county, or municipal funds. If no money

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is available in the dog fund of the township, then such necessary fees shall be paid out of the township fund without appropriations having been made.

(e) On the first Monday of March of each year, the township shall transfer the following to the county treasurer:

(1) Any funds in a township dog fund designated for a humane society under section 8 of this chapter.

(2) Any amount in a township dog fund exceeding three hundred dollars (\$300) over and above orders drawn on the fund.

(f) The funds transferred to the county treasurer under subsection (e) shall be deposited in the county dog fund. On the second Monday in March of each year, the money in the county dog fund shall be distributed as follows:

(1) Among the townships of the county in which the orders drawn against the dog fund exceed the money on hand.

(2) To a humane society designated under section 8 of this chapter.

(g) If the funds in the county dog fund, after any distribution to a designated humane society, are insufficient to pay for all **verified coyote bounty claims and** stock, fowl, or game listed in section 8(a)(1) of this chapter that are killed, maimed, or damaged by dogs of all the townships in the county, the distribution shall be made in the ratio of the orders drawn against the dog fund of the townships and unpaid and unprovided for. The ratio shall be obtained from the report of the trustees of the townships made to the auditor of the county.

(h) The report under subsection (g) shall be made by each township trustee of the county upon the first Monday of March of each year and must show the following:

(1) All receipts into the dog fund of the township.

(2) All orders drawn against the township fund in the order in which the orders were drawn.

(i) If the funds in the dog fund of any township and the share of the county dog fund distributed to such township during any year are insufficient to pay for all **verified coyote bounty claims and** stock, fowl, and game listed in section 8(a)(1) of this chapter that are killed, maimed, or damaged by dogs in such township during such year, any such **bounties claimed**, losses registered, and any orders drawn which are unpaid and unprovided for shall be paid out of the state dog account.

(j) If upon the first Monday in May of any year there is a surplus left of the county dog fund after provisions have been made for the payment of all **verified coyote bounty claims and** stock, fowl, and

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game listed in section 8(a)(1) of this chapter that are killed, maimed, or damaged by dogs of all the townships of the county and the distribution to any designated humane society, the surplus shall be:

(1) paid to the auditor of state; and

(2) placed in a separate account of the general fund of the state treasury known as the state dog account.

SECTION 5. IC 15-5-9-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. On or before the first day of May of each year, the trustee of each township shall make a report in writing, to the county auditor, of the amount of all claims in his township for **verified coyote bounty claims** and livestock, fowls, or game which have been destroyed or damaged by dogs, and which claims have been filed before March 9, 1937, or which may be filed thereafter but have not been paid for lack of funds. On or before the second Monday in May of each year, the auditor of each county shall make a report, in writing, to the auditor of state, in such form as the auditor of state shall prescribe, of the amount of all such claims in his county which have been filed and which have not been paid for lack of funds, and on or before the second Monday in July, the auditor of state shall issue his warrant, payable to the auditor of each such county, for the amount of the unpaid claims. The warrant shall be drawn on the state dog account. Upon the receipt of the money, the auditor of the county shall distribute the funds to the respective townships of his county entitled thereto, and the trustee of the township shall pay all unpaid claims of his township, in the order in which the claims were filed. If in any year there is not sufficient money in the state dog account to pay all of the claims, the auditor of state shall make such distribution, as near as practicable, in proportion to the aggregate value of **verified coyote bounty claims** and livestock, fowls, or game for the destruction of which or the damage to which claims have been filed in the respective counties, and the county auditor shall distribute the money so received to the several townships in the same proportion. All money in excess of fifty thousand dollars (\$50,000) remaining in the state dog account after such annual distribution shall have been made as hereinbefore provided shall be distributed by the auditor of state in the manner following:

(a) One-half (1/2) of such excess or one hundred thousand dollars (\$100,000) of such excess, whichever sum is the lesser, shall be distributed to Purdue University for the School of Veterinary Science and Medicine to be used solely for canine disease research.

(b) The balance remaining of such excess, after the distribution to

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1 Purdue University is made as hereinbefore provided, shall be
2 distributed to the general fund of each county in direct proportion
3 to the total amount of money paid into the dog account on the
4 second Monday in May by the county prior to the distribution.
5 Of the funds returned to the respective counties the county may, with
6 the approval of the county commissioners and the county council,
7 construct dog pounds within said counties.

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